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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FIVE

**In re MICHAELA H. et al., Persons
Coming Under the Juvenile Court Law.**

**SAN MATEO COUNTY HUMAN
SERVICES AGENCY,**

Plaintiff and Respondent,

v.

JENNIFER W.,

Defendant and Appellant.

A145040

**(San Mateo County
Super. Ct. Nos. JV71947, JV71948,
JV84192, JV84193)**

Jennifer W. (Mother) appeals from orders making her children (collectively Minors) dependents of the juvenile court and removing them from the home. On appeal, Mother claims the juvenile court erred in finding Minors were children described in Welfare and Institutions Code section 300, subdivision (b).¹ She contends there is no substantial evidence to support the court's jurisdictional findings. Mother also argues the dispositional orders constitute an abuse of discretion because there was insufficient evidence to demonstrate that allowing Minors to remain in the family home would place them at substantial risk. Mother further challenges the terms of visitation set by the juvenile court.

¹ All statutory references are to the Welfare and Institutions Code.

We have reviewed the record, and we conclude the jurisdictional findings are supported by substantial evidence. We further conclude the juvenile court's chosen disposition was not an abuse of discretion. Accordingly, we will affirm the judgment.

FACTUAL AND PROCEDURAL BACKGROUND²

Mother and M.W. (Father) have four children, three daughters and a son. Before the events giving rise to the current proceedings, Mother's family had an extensive history with the San Mateo County Human Services Agency (the Agency), with 14 referrals dating back to 2002 and a family maintenance case from 2003 to 2005. Prior referrals involved allegations of neglect and failure to supervise the children.

The family maintenance case arose from an incident in which two of the children, then aged three and five, were observed playing unsupervised at a local park at 8:00 p.m. During the course of that case, the Agency received allegations of ongoing domestic violence in the home, but these were deemed inconclusive. While the family maintenance case was ongoing, Mother was arrested for violating court orders and resisting arrest. Her children were placed in foster care. Mother declined therapeutic services for her children despite the recommendation of mental health professionals. The children were reunified with their parents, and the dependency was terminated in December 2005.

The Agency received no further referrals until 2013, when Mother's then six-year-old daughter called the police to report a physical altercation between Father and her brother. The referral was "evaluated out." In September 2014 the Agency received other referrals involving physical abuse against Mother by her eldest daughter and general neglect of the children. A social worker requested that Mother take a drug test, but Mother declined. In the same time period, there were referrals because the two youngest daughters were "chronically absent" from school.

² Although the parties' briefs contain exhaustive and minutely detailed recitations of the proceedings and the evidence, we have endeavored to summarize only the facts essential to an understanding of the issues on appeal. Additional facts relevant to particular issues are contained in the discussion section of this opinion.

In November 2014, Mother informed the social worker the family had been evicted from their home. Mother reported that her relationship with Father had deteriorated and she did not intend to continue living with him. She and Minors were staying in a hotel and were on a waiting list at a shelter. The following month, however, Mother and Minors moved back in with Father. Mother agreed not to engage in any domestic violence with Father in front of Minors.

The Minors continued to have extremely poor school attendance. In December 2014, the assistant vice principal of the high school the two oldest children attended informed the Agency the eldest daughter had not been to school since October and that Mother's son was not enrolled for the 2014-2015 school year. Regarding the eldest daughter, the assistant vice principal told the social worker, " 'I don't perceive the parents have any control over her behavior.' " The Redwood City Police Department's youth liaison officer told the social worker he was no longer working with the eldest daughter because she had been placed on probation for shoplifting in September 2014. He believed the girl's main problem was alcohol and drug use, and he confirmed she had recently witnessed a murder. The youth liaison officer said Mother allowed adults who were selling methamphetamine and prescription drugs to stay in her home, and he believed these people were providing drugs to the eldest daughter.

The eldest daughter was in a car accident at 4:00 a.m. on December 4, 2014. She was not injured, but her parents did not know of her whereabouts until the hospital to which their daughter had been taken called them. The social worker spoke to Mother about the incident and informed Mother that if she was unable to ensure her daughter's safety, the Agency might "need to intervene through the dependency court." Mother declined the worker's referral to a youth services agency.

On December 10, 2014, Mother and her youngest daughter arrived at the Fair Oaks Community Center ("FOCC") seeking shelter. At that point, the family was living in a recreational vehicle (RV) parked outside of Father's brother's home. Mother told FOCC staff she had called the police earlier in the day about Father but nothing was done and she wanted to flee the situation. She was directed to contact the police again, and

after doing so, an officer arrived at FOCC. The officer was the same one with whom Mother had spoken earlier that day. He told FOCC staff he had filed a report that morning but there was not sufficient evidence of Father threatening Mother to arrest him. Mother reported that the previous night she had gotten into an argument with Father because he would not let her into the family's home. When her eldest daughter attempted to intervene, Father turned his verbal abuse on her. Mother said when her eldest daughter tried to leave, Father pulled and shoved the girl against the wall. Mother tried to separate them, but Father continued to argue with her. When Mother tried to leave, Father slashed one of the tires of the family's van. Mother also contacted the Agency hotline about the incident, stating Father had threatened to kill her.

The foregoing incident led to an Agency referral the same day. The Agency learned Father was emotionally abusing the Minors and that both parents were generally neglecting their children. While attempting to engage the parents in safety planning, the social worker reported Father threatened to disconnect the family's RV from its power source—an electrical extension cord running from Father's brother's home to the RV parked in front. Mother signed a safety plan which stated “the current issue is the parent[s'] history of domestic violence and toxic relationship.” Father refused to sign and left the property. Mother agreed to call the police if Father returned to the RV or if he attempted to disconnect the power. She also agreed not to engage in physical or verbal altercations with Father and to cooperate with the Agency by completing a drug test. Mother tested on December 12, 2014, and the results were positive not only for her prescribed medication but also for amphetamines and methamphetamine.

The safety plan was violated during the evening of December 10, 2014, when Father returned to the RV. Mother notified the police, but Father remained in the vehicle, and the parents continued to argue. A police officer told the social worker the police had been to the RV five times throughout the night of December 10 due to disputes between the parents. Despite the tensions between the parents, on December 23 Mother informed the social worker she was no longer interested in a domestic violence shelter because she and Father were “getting along.” Also on December 10, the social worker noted the son

had cut his foot on shards of glass in the RV. The son did not receive medical attention until the worker drove him and Mother to a hospital on December 12. The son was unable to locate shoes to wear to the hospital. Mother had left a voicemail for the social worker that day claiming Father was threatening her. Although the social worker provided referrals to domestic violence shelters, Mother did not contact any shelters until the social worker requested she do so.

Later in December, Mother reported she was getting help from members of a church. She denied any further verbal or physical altercations with Father and claimed they were getting along. When the social worker told Mother she had tested positive for methamphetamine, Mother denied using the drug and suggested Father had put it in her juice.

On the evening of January 1, 2015, Redwood City police responded to a report of a dispute between Mother and Father. According to the reports, Mother told the officer the RV in which they were living was filthy and Father refused to help clean it. Mother stated she had cleaned it, but the reporting officer “found this to be the normal state of the interior of the RV each time [he had] responded to the residence for disputes.” The officer “observed the RV and found trash and debris surrounding its perimeter, especially just outside the door. There was a hose with human sewage seeping from it that was hooked up to the RV. The interior was unsanitary and in an extreme state of disarray. There was trash and broken furniture all about the interior of the RV, leaving no room to walk without having to climb over the objects. There was no sufficient supply of food or means to prepare a meal. There was no working electricity, as [Father’s] brother had disconnected their extension cord that was extended from the house.” Based on previous contacts, the officer knew the family had a large dog that was allowed to defecate and urinate in the RV, including on the beds. There was a “strong odor of animal feces and urine emanating from the interior of the RV.”

The officer found the two youngest daughters running around outside in the cold. They were wearing jackets, but the youngest was barefoot. Both girls appeared pale, and when the officer asked if they were hungry, one immediately said she was starving. The

officer reported that the parents appeared unconcerned about the health and safety of the children. He took the children into custody.

On January 5, 2015, the Agency filed section 300 petitions on behalf of all four Minors based on the parents' failure to protect each child. As relevant here, the petitions alleged the condition of the RV on January 1, 2015, was indicative of the risks to the health and safety of the Minors caused by the parents' neglect. In addition, the petitions charged that the parents' pervasive domestic violence presented a danger to the Minors. The petitions also alleged the parents were unable to control their eldest daughter's acting out and had let their son's education lapse while being unable to ensure his needs were met.

After a contested detention hearing on January 8, Minors were ordered detained and placed out of the home. On January 29, the Agency filed amended petitions, adding an allegation that the parents' substance abuse placed Minors at substantial risk of harm.

On February 5, the parents requested a contested jurisdiction/disposition hearing. The juvenile court set the hearing for April 21, the same day as a delinquency pretrial hearing for the eldest daughter. The Agency prepared a jurisdiction/disposition report dated February 5 and an addendum report dated April 21. At the time of the Agency's reports, Minors were residing in four separate foster homes. The February 5 report recognized the parents had made progress in cleaning the interior of the RV and in ensuring they had running water, electricity, and adequate food. Nevertheless, the Agency also concluded the parents' lack of insight into their family situation and their inability to accept any responsibility for the family's problems compelled the recommendation of continued dependency with out-of-home placement for all four Minors.

Attached to the Agency's April 21, 2015 addendum report was an alcohol and drug use assessment for Mother. She was assessed on February 6, 2015. When asked by the assessor, Mother repeatedly denied using methamphetamine, but the assessment noted she had given urine samples on December 12, 2014, and January 28, 2015, showing levels of methamphetamine use. In addition to those two positive results, Mother tested

positive for methamphetamines on February 17 and 20 and on March 19, 2015. Because of Mother's reluctance to admit her substance abuse, the assessor concluded she appeared to "exhibit symptoms of substance use disorder[.]" The assessor therefore recommended that Mother participate in an intensive outpatient/day treatment program.

The addendum report's assessment/evaluation section observed that the parents blamed the Agency for the Minors' removal and noted the parents "have not done anything to address issues that brought their family to [the] attention of the Agency and Court." The social worker expressed concern about the parents' lack of insight and their inability to accept responsibility. According to the social worker, the parents were using their physical ailments as excuses for not participating in services. The Agency therefore recommended that the amended petitions be sustained and that Minors be made dependents of the court with reunification services provided to the parents.

The combined jurisdiction/disposition hearing was held on April 21, 2015. The court received the Agency's reports into evidence, and it heard testimony from the social worker and both parents. After hearing argument from counsel, the juvenile court framed the issue before it as whether the parents had done anything to address the existing problems. The court concluded, "neither parent did anything towards parenting classes, [and] . . . neither parent did anything on domestic violence other than have discussion between themselves." The court continued, "[T]he lack of those things being addressed by the parents is one of the things that troubles me, simply in that I don't find enough changes have occurred to eliminate my concerns over what existed at the time and circumstantially I think still exist." The juvenile court found uncontroverted evidence of Mother's methamphetamine use and observed that substance abuse generally places children at risk of harm, although it found her substance abuse less significant than the other counts that had been established. It sustained jurisdiction and declared all the Minors dependents.

As to disposition, the juvenile court expressed discomfort at the idea of returning any of the Minors home given the parents' lack of progress in correcting the problems that had led to the Agency's intervention. The court ruled the Minors would remain in

out-of-home placements and set a schedule of weekly visitation. It gave the two eldest children the option of having an additional visit each week with their parents, provided the parents made arrangements with the children's caregivers.

On May 5, 2015, Mother filed an appeal from the dispositional order.

DISCUSSION

Mother challenges both the jurisdictional and dispositional orders. Regarding the former, she contends the Agency failed to make an evidentiary showing sufficient to justify the juvenile court's exercise of jurisdiction under section 300, subdivision (b). She attacks each of the court's jurisdictional findings as unsupported by the evidence. Mother also challenges the dispositional order, objecting in particular to the court's decision to place the Minors out of home and to its visitation orders. We will review her arguments in the order presented.

I. Substantial Evidence Supports the Juvenile Court's Jurisdictional Findings.

The juvenile court sustained a number of allegations in the petition, and a properly supported finding on any one of them would be sufficient to support its assumption of dependency jurisdiction. We conclude that two of its findings are supported by the evidence, and we therefore have no need to address Mother's challenges to the remainder.

A. The Unsanitary Condition of the RV Supports the Juvenile Court's Exercise of Jurisdiction.

Proof of seriously unsanitary or unhygienic living conditions is generally sufficient to support dependency jurisdiction under section 300, subdivision (b). (See *In re James C.* (2002) 104 Cal.App.4th 470, 482-483 [children did or may suffer serious physical harm from father's failure to protect or supervise them where record showed children were living in a home described as a " 'pig house' "].) The Agency produced evidence showing the parents and Minors had been living in a cramped, filthy, and unsanitary RV, and such evidence has long been held to justify the exercise of dependency jurisdiction. (See *In re Jeanette S.* (1979) 94 Cal.App.3d 52, 58-59; *In re Robert P.* (1976) 61 Cal.App.3d 310, 315-316.)

Mother does not appear to disagree that dangerous or unhealthy living conditions could justify the court's exercise of dependency jurisdiction. Instead, she contends the Agency failed to present legally sufficient evidence that, as of the date of the jurisdictional hearing, the condition of the parents' home constituted a *present* risk of physical endangerment to the Minors. She argues that by the time of the hearing, the RV had been cleaned and no longer presented a hazard. Mother relies on cases such as *In re Rocco M.* (1991) 1 Cal.App.4th 814 (*Rocco M.*), which stated, "While evidence of past conduct may be probative of current conditions, the question under section 300 is whether circumstances *at the time of the hearing* subject the minor to the defined risk of harm." (*Id.* at p. 824.) We disagree with Mother.

Initially, we note Mother's argument is premised on an interpretation of section 300 that is inconsistent with our prior cases. In *In re David H.* (2008) 165 Cal.App.4th 1626 (*David H.*), we held an allegation that a child has previously suffered serious physical harm inflicted nonaccidentally by a parent or guardian is sufficient to establish jurisdiction under section 300, subdivision (a). (*Id.* at p. 1644.) Following *David H.*, the court in *In re J.K.* (2009) 174 Cal.App.4th 1426 held that "[t]he language of section 300, subdivisions (a), (b) and (d) is clear. All three subdivisions are satisfied by a showing that the minor *has suffered prior* serious physical harm or abuse." (*Id.* at p. 1434.) Thus, under these cases, proof of *past* harm to the Minors suffices to sustain jurisdiction under section 300, subdivision (b). (Accord, *In re Adam D.* (2010) 183 Cal.App.4th 1250, 1261 ["proof of current risk of harm is not required to support the initial exercise of dependency jurisdiction under section 300, subdivision (b)"]; but see *In re J.N.* (2010) 181 Cal.App.4th 1010, 1023-1024 [exercise of jurisdiction under § 300, subd. (b) requires showing of current risk].)

But even if jurisdiction under section 300, subdivision (b) requires a showing of current risk, the Agency made the necessary showing. The social worker agreed that when she inspected the RV in February, it had been cleaned and was much more orderly than on the date the two youngest children were taken into custody. Her concerns went beyond the issue of cleanliness, however. The worker testified the RV was too small a

space to house the parents and the four Minors. She also expressed concern about the parents' ability to maintain a stable and healthy home environment for the Minors. In its ruling, the juvenile court echoed these concerns. It stated it had reviewed the photographs of the RV and it accepted that the vehicle had been cleaned. While it gave some weight to that fact, it nevertheless found the "disarray, lack of utilities, trash, broken furniture [and] animal feces" were indicative of the parents' failure to understand the importance of maintaining safe housing for the Minors. The juvenile court was certainly entitled to find "evidence of [the parents'] past conduct . . . probative of current conditions[.]" (*Rocco M., supra*, 1 Cal.App.4th at p. 824.) This is particularly true where, as here, the police report stated the unsanitary conditions were "the *normal state* of the interior of the RV each time [the officer] responded to the residence for disputes." (Italics added.)

The juvenile court's finding was supported by substantial evidence. (*In re James C., supra*, 104 Cal.App.4th at pp. 482-483.) Ordinarily, our conclusion that the juvenile court could properly assume jurisdiction on this ground would be sufficient for us to affirm the jurisdictional order. (E.g., *In re I.J.* (2013) 56 Cal.4th 766, 773.) However, since the social worker testified the condition of the RV was a "small factor" in the Agency's involvement in the case, we will address an additional jurisdictional ground.

B. *The Juvenile Court Properly Exercised Jurisdiction Based on the Parents' Ongoing Domestic Violence.*

Mother also contends there was no evidence there was any current domestic violence between the parents. She also claims "the conflicted evidence presented by the Agency did not support jurisdiction." Contrary to Mother's claims, we conclude the record contains ample evidence supporting the juvenile court's finding.

The evidence before the juvenile court showed the police were coming to the family's home "almost every day" during the last two weeks in December 2014. The Agency reported that between September and December 2014 there were several incidents of domestic violence between the parents. Mother contacted the Agency hotline on December 10, 2014, stating Father had threatened to kill her. Indeed, the

police were summoned to the family's home five times in the course of that one day. Mother went to a community center that day seeking shelter, and she told the staff that Father "always threatens her with statements in making bombs [*sic*] to blow them up and has attempted to choke them." During one of the December 10 incidents, when the eldest daughter came to Mother's defense, Father "pulled and shoved her against the wall." That same day, Mother signed a safety plan stating, "the current issue is the parent[s'] history of domestic violence and their toxic relationship."

The effects of the parents' domestic violence were visible in their children. Shortly after being placed together in a foster home, one of the younger daughters attacked the other by choking her, because the eldest daughter had taught her to be mean to people, and she had seen her parents act that way. The two youngest daughters both demonstrated how Father choked Mother by wrapping both of his hands around Mother's throat.

In its ruling, the juvenile court observed "that neither parent did anything on domestic violence other than have [a] discussion between themselves." The court further found the problem had been "going on for some period of time," noting that three of the Minors had commented on it. The fighting between the youngest daughters showed "learned behavior that suggest[s] to me the extensive history of domestic violence as alleged in Count B-3 was real and existed in the presence of the children." While the juvenile court did not find evidence of domestic violence in the two months immediately preceding the hearing, it found that "with the length of history and the degree of violence here and the absence of any counseling to address the issue, [domestic violence] still exists as a danger to the children." It therefore found Minors were "still at risk of physical and emotional hell as a result of the history of domestic violence." Simply put, the parents had a history of recent domestic violence and had taken no concrete steps to remedy the problem. The evidence of unresolved domestic violence, outlined both here and in our statement of facts, is sufficient to support the juvenile court's finding of jurisdiction under section 300, subdivision (b). (E.g., *In re John M.* (2013) 217

Cal.App.4th 410, 419 [“parents’ history of domestic violence evidences an ongoing pattern that . . . presented a very real risk to [minor’s] physical and emotional health”].)

C. *We Need Not Address Mother’s Other Challenges to Jurisdiction.*

Mother also challenges the juvenile court’s findings regarding her drug use, her failure to provide for the Minors’ educational needs, and the behavior of two of her children. She claims these findings are unsupported and insufficient to justify the court’s assumption of dependency jurisdiction. Since we have already concluded the evidence supports the juvenile court’s findings on two jurisdictional grounds, we “ ‘need not consider whether any or all of the other alleged statutory grounds for jurisdiction are supported by the evidence.’ [Citation.]” (*In re I.J.*, *supra*, 56 Cal.4th at p. 773.)

II. *The Juvenile Court Did Not Abuse its Discretion in Placing Minors Out of Home or in Setting the Terms of Visitation.*

Mother challenges as unsupported the juvenile court’s dispositional order placing the Minors out of the home. She also contends the juvenile court erred in requiring monitored visitation between the parents and the younger children. Mother further argues the court delegated to the children the right to refuse visits and improperly failed to order more visits because the Agency declared it would be inconvenienced. We disagree that the dispositional order is unsupported by the evidence. We reject Mother’s remaining contentions because she failed to preserve them for appeal.

A. *The Placement Order Is Supported by Substantial Evidence of Parents’ Failure to Address their Domestic Violence.*

Mother’s objection to the juvenile court’s decision to place Minors out of the home suffers from two flaws, one legal and one factual. Mother’s argument is legally flawed because it focuses largely on the Agency’s burden of proof in the juvenile court. She claims the Agency failed to produce clear and convincing evidence that “[t]here is or would be a substantial danger to the physical health, safety, protection, or physical or emotional well-being of the [Minors] if the [Minors] were returned home, and there are no reasonable means by which the [Minors’] physical health can be protected without removing the [Minors] from the [Minors’] parent’s or guardian’s physical custody.” (§ 361, subd. (c)(1).) Mother’s focus is misplaced. The clear and convincing evidence

standard in section 361, subdivision (c) governs the trial court; it is not a standard of appellate review. (*In re A.R.* (2015) 235 Cal.App.4th 1102, 1115.) On appeal, “[w]e review an order removing a child from parental custody for substantial evidence in a light most favorable to the juvenile court findings.” (*In re Miguel C.* (2011) 198 Cal.App.4th 965, 969.) We cannot reverse the dispositional order absent a clear abuse of discretion. (*In re N.M.* (2011) 197 Cal.App.4th 159, 171.)

Mother’s argument is factually flawed because it ignores the actual basis for the juvenile court’s ruling. Mother claims the Agency “failed to articulate a risk to the children if returned to parental care beyond the ‘cramped quarters’ of the [RV].” Contrary to Mother’s contentions, the juvenile court did not base its decision to place Minors out of the home on “[c]ramped quarters and lack of money[.]” Instead, the juvenile court quite clearly explained it was concerned about sending the Minors home “in view of the lack of adequate progress by the parents.” It also noted Mother’s son was not asking to be returned home. And the court was obviously troubled by the lack of improvement in what it called “the parents’ level of communication[.]” This last statement was clearly a reference to the court’s earlier remarks regarding the parents’ failure to deal with their ongoing domestic violence. In making its jurisdictional ruling, the juvenile court remarked on “the absence of any counseling to address [that] issue[.]” Thus, the juvenile court grounded its ruling not on concerns about the Minors’ physical environment but rather on its finding that the parents lacked “insight” and had failed to act to resolve their domestic violence problem.

B. Mother Has Forfeited Her Challenges to the Visitation Orders.

Mother’s remaining contentions relate to the juvenile court’s visitation orders. We conclude she has forfeited these contentions for a number of reasons. First, her opening brief does not cite to any part of the record showing she raised these contentions in the juvenile court. Her failure to demonstrate that these issues were raised below forfeits them on appeal. (E.g., *In re A.M.* (2013) 215 Cal.App.4th 339, 351.) We note Mother has not remedied this deficiency in her reply brief, even though the Agency’s brief points out that the only issue Mother raised below regarding visitation was the frequency of

visits. Thus, since Mother failed to object in the juvenile court to the conditions of visitation, she may not challenge those conditions for the first time on appeal. (See *In re Valerie A.* (2007) 152 Cal.App.4th 987, 1001.)

Even if Mother had properly preserved these issues, they would be meritless. We review the juvenile court's orders setting the terms of visitation for abuse of discretion. (*In re Brittany C.* (2011) 191 Cal.App.4th 1343, 1356 (*Brittany C.*)) "We will not disturb the order unless the trial court made an arbitrary, capricious, or patently absurd determination." (*Id.* at p. 1356.) The juvenile court has the authority to define a noncustodial parent's right to visit with a dependent minor. (*In re Moriah T.* (1994) 23 Cal.App.4th 1367, 1373.) It "may delegate to the probation officer or social worker the responsibility to manage the details of visitation, including time, place and manner thereof." (*Id.* at p. 1374.)

Mother contends the juvenile court abused its discretion in giving the two older children "absolute discretion to decide whether visits would occur[.]" In fact, however, the juvenile court granted Mother one weekly visit, but it permitted the two older children to have one *additional* unsupervised visit with their parents if they wished. Thus, Minors were not given absolute discretion about whether to participate in visitation. While "in no event 'may the child's wishes be the *sole* factor in determining whether any visitation takes place' " (*Brittany C., supra*, 191 Cal.App.4th at p. 1358, quoting *In re S.H.* (2003) 111 Cal.App.4th 310, 319), children may be allowed to refuse to attend a particular visit. (*Ibid.*) Because the court ordered regular, weekly visitation, it did not delegate to the older children the power to determine whether *any* visitation would take place. It therefore did not abuse its discretion in giving the older children the option of having an additional visit every week.

For the same reason, Mother's contention that the juvenile court permitted her son to decide whether to visit and how often is unfounded. The court's written order prescribes weekly visitation for Mother with the Minors. In its oral ruling, the court said only that the son was old enough to decide whether he wanted to have more visits than those scheduled by the court. Thus, the juvenile court granted the two oldest children the

option of having two hours of unsupervised visitation with their parents per week. The son simply was not given complete discretion to decide whether he would visit at all.

Finally, Mother argues the frequency of visitation should not hinge on the Agency's convenience. At the time of the disposition hearing, Minors were living in four different, geographically distant placements. The court and counsel discussed the difficulty of coordinating visits under those circumstances, and the Agency's counsel explained that effecting the weekly visits consumed the social worker's entire day on the day the visits occurred. Mother's counsel asked for more visitation and expressed the view that the placement "in different homes shouldn't inconvenience the family in terms of the reunification process." Assuming this was sufficient to preserve the issue for appeal, we discern no abuse of discretion. The juvenile court may properly delegate to the Agency the authority to decide such matters as time, place, and manner of visitation. (*In re Moriah T.*, *supra*, 23 Cal.App.4th at p. 1374.) Nothing in the record suggests the juvenile court established the frequency of visitation solely for the Agency's convenience. The court's decision appears to have had far more to do with its expressed concerns about the well being of the two youngest children. It allowed the parents more frequent visits with their older children, provided the parents could make arrangements with the children's caregivers to see them. This was not an abuse of the court's discretion.

DISPOSITION

The judgment is affirmed.

Jones, P.J.

We concur:

Simons, J.

Needham, J.

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